

Frank E. Scherkenbach (SBN 142549)
scherkenbach@fr.com
Kurt L. Glitzenstein (*pro hac vice*)
glitzenstein@fr.com
FISH & RICHARDSON P.C.
One Marina Park Drive
Boston, MA 02210
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

Attorneys for Defendant
MICROSOFT CORPORATION

Additional counsel listed on signature page

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN JOSE DIVISION)

SENTIUS INTERNATIONAL, LLC,
Plaintiff,
v.
MICROSOFT CORPORATION,
Defendant

Case No. 5:13-cv-00825 PSG

**DECLARATION OF JONATHAN J.
LAMBERSON IN SUPPORT OF
DEFENDANT MICROSOFT
CORPORATION'S RESPONSIVE
CLAIM CONSTRUCTION BRIEF**

AND RELATED COUNTERCLAIMS

I, Jonathan J. Lamberson, declare as follows:

1. I am a principal in the Redwood City office of Fish & Richardson P.C., counsel of record for Defendant Microsoft Corporation (“Microsoft”). I make these statements based upon my own personal knowledge.

2. Attached hereto as Exhibit A is a true and correct copy of Sentius' Opening Claim Construction Brief filed as D.I. 76 in *Sentius Corp. v. Flyswat, Inc.*, U.S.D.C., N.D. Cal., Case No. C 00-2233 SBA

1 3. Attached hereto as Exhibit B is a true and correct copy of Sentius' U.S. Patent
2 RE40,731 Supplemental Infringement Contentions, served September 13, 2013 (submitted under
3 seal).

4 4. Attached hereto as Exhibit C is a true and correct copy of the deposition transcript of
5 Brian Yamanaka, taken July 9, 2001.

6 5. Attached hereto as Exhibit D is a true and correct copy of pages from an Office
7 Action, filed July 8, 1996.

8 6. Attached hereto as Exhibit E is a true and correct copy of U.S. Patent No. 5,146,552,
9 issued September 8, 1992.

10 7. Attached hereto as Exhibit F is a true and correct copy of excerpts from *Newton's
11 Telecom Dictionary*, 1994.

12 8. Attached hereto as Exhibit G is a true and correct copy of *The Flat File Database
13 Generator Ffg*, 1981.

14 9. Attached hereto as Exhibit H is a true and correct copy of excerpts from the *IEEE
15 Standard Dictionary of Electrical and Electronics Terms*, 1996.

16 10. Attached hereto as Exhibit I is a true and correct copy of the deposition transcript of
17 Marc Bookman, taken June 28, 2001.

18 11. Attached hereto as Exhibit J is a true and correct copy of excerpts from *The Oxford
19 Essential Dictionary*, 1998.

20 12. Attached hereto as Exhibit K is a true and correct copy of U.S. Patent Application
21 No. 2003/0033290, published February 13, 2003.

22 13. Attached hereto as Exhibit L is a true and correct copy of the Interview Summary,
23 dated October 27, 2009, for U.S. Patent No. 7,672,985 File History.

24 14. Attached hereto as Exhibit M is a true and correct copy of the Examiner's Statement,
25 dated December 6, 2009, for U.S. Patent No. 7,672,985 File History.

26
27
28

15. Attached hereto as Exhibit N is a true and correct copy of the Supplemental Examination Guidelines for Determining Compliance with 25 U.S.C. § 112 (1373 CNOG 936), dated December 27, 2011.

16. Attached hereto as Exhibit O is a true and correct copy of U.S. Patent No. 5,822,720, issued October 13, 1998.

17. Attached here as Exhibit P is a true and correct copy of the Order filed as D.I. 175 in *Sentius Corp. v. Flyswat, Inc.*, U.S.D.C., N.D. Cal., Case No. C 00 2233 SBA.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of December, 2013, at Redwood City, California.

/s/ Jonathan J. Lamberson

Jonathan J. Lamberson

Additional Counsel

Jonathan J. Lamberson (SBN 239107)
lamberson@fr.com
FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

Isabella Fu (SBN 154677)
isabella.fu@microsoft.com
MICROSOFT CORPORATION
One Microsoft Way
Redmond, WA 98052
Telephone: (425) 882-8080
Facsimile: (425) 936-7329

Attorneys for Defendant
MICROSOFT CORP.

50931483.doc

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on December 13, 2013 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civ. L.R. 5-1(h)(1). Any other counsel of record will be served by U.S. mail or hand delivery.

By: /s/ Jonathan J. Lamberson
Jonathan J. Lamberson

50931483.doc